ARTICLE 5A

THE CALL-IN PROCESS

1. Purpose

1.1 Call-In is the process by which decisions of the Cabinet can be challenged before implementation by non-Cabinet Members and referred to the relevant Select Committee (as determined by the Divisional Director of Legal and Democratic Services) for further consideration. The statutory co-opted members of the Children’s Services Select Committee are also entitled to Call-In Cabinet decisions in respect of education-related matters.

1.2 Urgent actions taken under paragraph 17 of Article 1 of the Constitution are exempt from Call-In, although such actions will be subsequently reported to the next available meeting of the Assembly or Cabinet as appropriate.

2. Definition of a Cabinet Decision

2.1 A “Cabinet decision” is a decision that the Cabinet has the powers to exercise in accordance with the Council’s Scheme of Delegation. Matters that are reserved to the Assembly but which are referred to the Cabinet for a preliminary view or recommendation are exempt from the Call-In process.

3. Call-In Procedure

3.1 Cabinet

3.1.1 Details of the decisions taken at meetings of the Cabinet will be circulated to all Members of the Council and, when relevant, statutory co-opted Members, the day after the meeting.

3.1.2 Any two (or more) Members of the Council (excluding Cabinet Members), or statutory co-opted Members where the matter relates to education, individually or collectively, may Call-in any Cabinet decision and/or a key decision made by an officer under delegated authority by the Cabinet, by submitting a written notification to the Chief Executive by 12.00 noon on the Wednesday in the following week (five working days). Where days are
lost due to Bank Holidays the Call-In deadline will be extended accordingly. The Call-In notification must specify the reasons for the Call-In, explain whether all or part of the decision is being Called-In, and list all those members requesting the Call-In. The Call-In notification may be handed in at the Civic Centre or sent by email or fax.

3.1.3 Any Member, who has a prejudicial interest in a particular issue, should not instigate or take part in any Call-In process related to that issue.

3.1.4 If the Chief Executive receives, and accepts as reasonable, a Call-In notification within the specified timescale, the particular decision of the Cabinet shall not be acted on but shall be submitted to the next Select Committee meeting, as determined by the Authority’s designated Scrutiny Officer, or one convened for the purpose of considering the Call-In.

3.1.5 At least one Member will be required to represent the Cabinet at the relevant Select Committee Call-In meeting to explain the reasons for the Cabinet’s decision, and to answer any questions. Similarly the relevant Corporate Director, or his/her Divisional Director representative, will attend to clarify any aspects associated with the issue in question.

3.1.6 Member(s) or statutory co-opted member(s) calling-in the decision will also be invited to attend to present their case.

3.1.7 The Select Committee will be held in public. The Committee may also invite any other persons to assist during the Call-In meeting.

3.1.8 The papers to be considered by the Select Committee will be those considered by the Cabinet when the decision was made, the decision itself, the written details of the Call-In and any reports prepared in response to the written details of the Call-In.

3.1.9 Having considered the matter raised by the Call-In, the Select Committee will have the following options available to it:

(a) To dismiss the Call-In and let the Cabinet decision stand, or

(b) To refer the matter back to the Cabinet with recommendations for an alternative course of action
3.1.10 All parties will be invited back to hear the decision of the Select Committee. The Chair will explain the reasons for the decision.

3.1.11 In exceptional circumstances, and where delay would be prejudicial to the interests of the Council, it may be necessary to waive the Call-In procedure. In such cases the Chief Executive or the relevant Corporate Director, as appropriate, will take urgent action in accordance with Article 1 - Paragraph 17 to waive the Call-In procedure.

(Contact Officer: Group Manager, Democratic Services: Tel: 020 8227 2135)